

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 05-17059
Non-Argument Calendar

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT AUG 28, 2006 THOMAS K. KAHN CLERK

Agency No. A95-895-148

CLARA MARIA DE LOS ANGELES SEGURA SILVA,

Petitioner,

versus

U.S. ATTORNEY GENERAL,

Respondent.

Petition for Review of a Decision of the
Board of Immigration Appeals

(August 28, 2006)

Before TJOFLAT, ANDERSON and BIRCH, Circuit Judges.

PER CURIAM:

In this case, an Immigration Judge (“IJ”) ordered Clara Maria Segura Silva, a native and citizen of Columbia, S.A., removed from the United States to Columbia, and the Board of Immigration (“BIA”) affirmed the IJ’s decision. Silva thereafter moved the BIA to reconsider its decision. The BIA denied her motion. Silva now petitions this court to review the BIA’s denial of her motion to reconsider. She contends that the BIA erred in denying her motion to reconsider because it did not exercise independent judgment.¹

We review the BIA’s denial of a motion to reconsider for an abuse of discretion. Assa’ad v. U.S. Attorney Gen., 332 F.3d 1321, 1341 (11th Cir. 2003). “Judicial review of denials of discretionary relief incident to deportation proceedings . . . is limited to determining ‘whether there has been an exercise of administrative discretion and whether the matter of exercise has been arbitrary or capricious.’” See Garcia-Mir v. Smith, 766 F.2d 1478, 1490 (11th Cir. 1985) (citation omitted) (addressing a motion to reopen).

“A motion to reconsider shall state the reasons for the motion by specifying the errors of fact or law in the prior [BIA] decision and shall be supported by pertinent authority.” 8 C.F.R. § 1003.2(b)(1). In this case, the BIA did not abuse

¹ Silva also contends that the IJ erred in finding that she did not establish past persecution or a well-founded fear of future persecution.

its discretion in denying Silva's motion to reconsider because Silva failed to specify any errors of law or fact in the BIA's decision and merely reiterated the arguments she presented in appealing the IJ's removal order. Accordingly, we deny her petition.

PETITION DENIED.